

June 12, 2019



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 20837
(SECOND REVISION)

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: (see individual authorization letter)
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the transportation in commerce of low production lithium ion batteries contained in equipment in a special packaging aboard cargo-only aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
 - d. This special permit serves as an approval under Special Provision A88 and State Variation US 3 of the ICAO TI and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180 and the ICAO TI.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.185(a)(1) in that each lithium battery must be of the type proven to meet the criteria in Part III, subsection 38.3 of the UN Manual of Tests and Criteria, except as specified herein.

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5. BASIS: This special permit is based on the emergency application of the Department of Defense (Military Surface Deployment & Distribution Command) dated February 19, 2019 and supplemental information dated March 5, 2019 submitted in accordance with § 107.117 and a determination that it is necessary for immediate national security purposes and additional information dated March 7, 2019.

6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries contained in equipment	9	UN3481	N/A

7. SAFETY CONTROL MEASURES:

a. OPERATIONAL CONTROLS:

(1) Only low production lithium ion batteries contained in equipment each with a nominal energy rating of 24.75 Wh and comprised of three (3) A123 Systems Material Co., Ltd. (model ANR26650M1-B) cells as described in the February 19, 2019 application and on file with the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD) may be offered for transportation under the terms of this special permit. ("Low production" is defined as a production run of no more than 100 batteries annually of a particular type.).

(2) Cells and batteries contained in equipment must be protected against short circuits during transportation.

(3) The battery contained in equipment having cells connected in parallel must be equipped with an effective means of preventing dangerous reverse current flow.

b. TESTING AND INSPECTION FOR EACH TYPE:

(1) The cells must have been demonstrated by testing to pass all required tests as specified in the "UN Manual of Tests and Criteria, 5th Revised Edition."

(2) The battery must be of a type that has passed the environmental testing including the UN T.3, T.4, and T.5 tests as described in the February 19, 2019 application, which is on file with the OHMSAPD.

c. PACKAGING REQUIREMENTS:

(1) Each battery must be contained in equipment (satellite) designed for space application.

(2) The battery must be individually enclosed in a satellite (equipment) casing made of rigid aluminum material.

(3) The equipment containing the battery must be wrapped in a plastic electrostatic dissipative bag which is nonmetallic and non-conductive and then placed in a cushioned Pelican shipping container (Model # 1600) that meets the Packing Group I performance level.

(4) The net weight of batteries within each package may not exceed 460 grams.

(5) No more than two (2) pieces of equipment, each containing one battery, are allowed per package.

d. MARKING REQUIREMENTS: Each package, and overpack if used, prepared under the provisions of this special permit must be plainly marked with the special permit number: DOT-SP 20837.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit, the HMR, and the ICAO TI.

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b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit, and destination.

d. The grantee must maintain the following record and upon request make this record available to a DOT representative or an enforcement official. The record to be maintained is as follows:

(1) Dates of shipment; and

(2) Description of each type of shipment.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

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Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the
Hazardous Materials Safety Homepage at

http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

Photo reproductions and legible reductions of this special permit
are permitted. Any alteration of this special permit is
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PO: Steve H/NICKS